



LAVERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, June 12, 2013 6:00pm

City Council Chambers, 111 South Main Street
LaVerkin, Utah 84745

Present: Chair Anna Andregg; Commissioners: Michael Hinckley, Hugh Howard, Karl Benson, Ann Wixom; Staff: Derek Imlay, Kyle Gubler, and Christy Ballard; Public: Richard Hirschi, John and Rose Valenti, and Toni Imlay.

- I. Call to Order:** Chair Anna Andregg called the meeting to order at 6:00pm. The Invocation and Pledge of Allegiance was given by Richard Hirschi.

- II. Approval of Minutes:**
Commission may approve the minutes of the May 8, 2013 regular meeting.

Motion was made by Commissioner Hugh Howard to approve the May 8, 2013 regular meeting, second by Commissioner Michael Hinckley. Motion carried unanimously.

- III. Approval of Agenda**

Motion was made by Commissioner Karl Benson to approve the agenda as written, second by Commissioner Ann Wixom. Motion carried unanimously.

- IV. Reports:**

1. Beautification/Trails Committee-Kyle reported that the Crescent Park project has started. They also discussed the work done on the 100 west trail head. In the future they would like that trail to connect to the north side of the hill and loop into Confluence Park. There are still a few things, such as acquiring some private property, before that can happen. The State Street cleanup will be October 19, 2013.

Richard Hirschi asked if a citizen complains about a neighbor's yard mess and nothing changes can the City go in clean the yard up and charge the property owner.

Kyle answered that there is a process that needs to happen. If the property owner chooses to not take care of the issue then yes the City can go in and clean it up charging the owner.

2. Economic Development Committee-Nothing to report.
3. Director of Operations-Nothing to report.

- V. Business:**

1. Discussion and possible action on Animal (nonpet) Ordinance for Residential Zones. Derek explained that the minutes and notations from the last meeting were given to Kevin who put them in ordinance form. All of the comments and changes are included in the ordinance. The only change Kevin made was to include 8,000 square foot lots giving them half the animal units or points allowed in the 10,000 square foot lot. This will be the smallest size lot to allow non-pet animals. The R-1-8 is the largest sized zone so Kevin felt it a good idea to include them.

There are two different versions in the packet. One is the point system and the other is an animal unit system. Staff is in favor of the animal unit version. It seems easier to regulate the animals with this system.

The setbacks are included. No animals are permitted in the front yard and they have to be located at least 30 feet from surrounding dwellings or occupied structures.

At the end of the ordinance Kevin referred back to all pertaining ordinances already listed in the City Code. Like the business license code for selling chicken eggs or the nuisance ordinance for accumulation of manure.

Derek likes that feature and feels that this resolves the issue and clears up any misinterpretation.

Commissioner Hinckley asked if staff has received any comments from citizens knowing this issue is being discussed.

Derek replied that he has had two people offer their opinion and they were both in favor of including the 8,000 square foot lots.

Kyle commented that there are some people that will not follow the rules and the City may never know but if there is a complaint made this will allow us to take action.

Commissioner Hinckley asked if staff preferred the animal unit only because it would be easier to enforce.

Derek answered that the animal unit is easier to work out the total number of animals allowed. It works out to be pretty much the same number of animals with either version but he likes the animal unit one better.

Kevin definitely recommended the animal unit system.

Commissioner Benson likes the animal point system better because under Number, the calculation of proration is clearer in that version. That could be transferred over to the animal unit version.

Commissioner Wixom said that the way she reads the animal unit system a 10,000 square foot lot could have a cow or a horse, but under the point system they would not be allowed.

Commissioner Benson said that under the point system a 10,000 square foot lot would have 25 points and a cow or horse is 25 points so one animal would be allowed. That's why he likes this system.

There was a discussion on the amount of different types of animals that would be allowed under each system.

Some animals it would be better to do the points and some it would be better to do the unit system if you want it to be strict.

Kyle said that the values on either system could be adjusted to fit what the Planning Commission wants.

There was also a discussion on only allowing large animals on ½ acre lots or larger.

The Commissioners and staff all agree that 10,000 square feet is not enough room for large animals.

It was decided to only allow large animals on ½ acre or larger parcels. Small fowl and animals are okay on the 8 and 10 thousand square foot properties.

On the points version under Numbers "ostriches or other similar large fowl (8 points)" needs to be included with the bullet point above it listing ostriches only once as "ostriches or other similar large fowl (12 points)".

Commissioner Wixom suggested changing page 3 of the points system from "That are less than 10,000 square feet, a maximum of 12 points are allowed", to "lots 10,000 square feet or less a maximum of 10 points are allowed".

There was a discussion on roosters being included within the term chicken.
The Commissioners would like roosters allowed on ½ acre parcels or larger only.

Commissioner Wixom said that she thought at the last meeting it was decided to base setbacks on property lines, not structures on adjacent lots for code enforcement reasons.
She also has a concern with 30' from a dwelling or occupied structure on the same lot. There are people that have built rabbit hutches and chicken coops into their garages for ventilation and air during the summer months. She would like that line removed.

On page 2 of the point system the fourth bullet point has a sentence that needs to be completed.

Commissioner Hinckley asked if this ordinance needed to list the penalties for violating it.

Derek and Kyle replied the penalties refer back to the La Verkin City Code.
The police department will be enforcing it and issuing citations.
We are hiring an animal control officer but they will be dealing mainly with the shelter.

The point system is what the Planning Commission would like to go with but include the changes talked about. Staff will have it ready for the next meeting to look over and if everything reads how they would like it the public hearing can be set for the August 14th meeting.

Commissioner Benson asked about the ability to adjust the \$3,000 cap on total gross sales. He feels the amount needs to move up with inflation.

Kyle thought that number could easily be adjusted as needed. It would just need to go before the City Council.


2. Discussion and possible action to set public hearing for the animal ordinance on August 14, 2013.

Was discussed in the previous business item.

VI. Adjourn:

Motion was made by Commissioner Ann Wixom to adjourn, second by Commissioner Michael Hinckley. Motion carried unanimously at 6:38pm.

Minutes taken on behalf of the City Recorder by Christy Ballard.



Planning Commission Chair

10 July 13
Date Approved

